

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING  
DIVISION OF PROFESSIONAL REGULATION  
BOARD OF EXAMINERS OF PLUMBERS**

**1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room**

**Cranston, RI 02920**

**Tuesday, April 17, 2012**

**9:00am**

**In attendance: Anthony Cardarelli**

**Jeffrey Hutton**

**Richard Mandarin**

**Michael Newman**

**Michael Raposa**

**William J. Riley, Chairperson**

**Lionel Bernardino and Larry Giorgi were not in attendance.**

**Also in attendance were E. Patrick Luther, Chief Plumbing Investigator, and Valentino Lombardi, Legal Counsel.**

**1.) Call to Order: The meeting was called to order at 9:01am by William J. Riley, Chairperson.**

**2.) Approval of Minutes: Michael Newman made a motion to accept the minutes to the meeting of March 20, 2012; seconded by Richard**

**Mandarini and passed unanimously by the Board.**

**3.) Conflict of Interest: This is a standing item on the agenda. Valentino Lombardi, Legal Counsel, did not address the matter as it was discussed at the previous meeting.**

**4.) Violation Appeal Hearings:**

**Patrick Butler / Butler Property (Violation #4177): Rescheduled to May.**

**Richard DiPonte (Violation #4213): Richard DiPonte and E. Patrick Luther, Chief Plumbing Investigator, are sworn in for testimony. Attorney Frank S. Lombardi, 225 Broadway, Providence, RI, represents Richard DiPonte. E. Patrick Luther reads the violation.**

**Date of Violation: 2/29/2012; Violation # 4213**

**Name of Violator: Richard DiPonte, 4 Kimball Ave, Johnston, RI 02919**

**Location of Violation: Arthur Cucca residence, 1 Cambridge Circle, Smithfield RI**

**Violation: RIGL 5-20-24 License Displayed in Place of business - Advertising (b) and RIGL 5-20-25 Registration of plumbing and irrigation apprentices**

**On February 29, 2012 Richard DiPonte did have Jeremy J. Laury, of 252 Simmonsville Ave. Johnston, assisting in the installation of**

plumbing at the above location. Mr. Laury is not a registered plumbing apprentice in RI. The vehicle on site, a Toyota pickup, RI registration number 63988, registered to Mr. DiPonte, did not include the name, address and license numbers as required by law. This is a violation of the above referenced RI General Laws. A \$1,000.00 fine was assessed as per RIGL 5-20-33.

Pat Luther provides testimony and is questioned by the Board and cross examined by Attorney Frank S. Lombardi. Photographs of Richard DiPonte's truck are entered as Exhibit A.

Richard DiPonte provides testimony and is questioned by the Board. Attorney Frank S. Lombardi submits the following as evidence: Exhibit 1 - five (5) photographs of the job site; Exhibit 2 – five (5) photographs of signage and Exhibit 3 – a copy of Invoice # 1188 from Positive Energy Inc. Electrical Service.

Jeff Hutton made a motion that a violation of RIGL 5-20-24 "License displayed in place of business – Advertising did occur and the violation of RIGL 5-20-25 "Registration of plumbing and irrigation apprentices" be dismissed; seconded Michael Newman and passed unanimously by the Board.

Anthony Cardarelli made a motion to reduce the fine to \$500.00; seconded by Michael Newman and passed unanimously by the Board.

**The recommendation will be forwarded to the Director.**

**Jeremy J. Laury (Violation #4214): Jeremy J. Laury and E. Patrick Luther are sworn in for testimony. E. Patrick Luther addressed the Board and recommended that the violation against Jeremy J. Laury be dismissed in lieu of the previous hearing, Richard DiPonte - Violation # 4213, where the Board recommended dismissing the violation of RIGL 5-20-25 "Registration of plumbing and irrigation apprentices" due to the testimony that was heard.**

**Michael Newman made a motion to dismiss Jeremy Laury's Violation # 4214 of RIGL 5-20-10; seconded by Anthony Cardarelli and passed unanimously by the Board. The recommendation will be forwarded to the Director.**

**Sagamore Plumbing Co / Joe Harold (Violation # 4219): Joe Harold, Sagamore Plumbing, Co; Peter Mulroy, license holder for Sagamore Plumbing, Co; Tom Stretton, Sagamore Plumbing and Heating; Tom Bulman and E. Patrick Luther, Chief Plumbing Investigator, are sworn in for testimony. E. Patrick Luther read the violation.**

**Date of Violation: 3/9/2012; Violation # 4219**

**Name of Violator: Sagamore Plumbing Co / Joe Harold, 75 Research Ave. Hingham, MA 02043**

**Location of Violation: Tockwotton Home, 500 Waterfront Dr., E.**

**Providence, RI**

**Violation: RIGL 5-20-9 Acts for which journeyperson's license required.**

**On March 7, 2012 Sagamore Plumbing did have Thomas E. Bulman of 13 Flintlock Lane Lakeville MA installing plumbing drainage, waste and vents at the above location. Mr. Bulman's Journeyman's license was expired at the time of the inspection. This is a violation of the above referenced RI General Law.**

**A \$500.00 fine was issued per RIGL 5-20-33.**

**E. Patrick Luther provides testimony.**

**Joe Harold, Sagamore Plumbing Co, provides testimony. Thomas Bulman and Peter Mulroy provide testimony.**

**Michael Newman made a motion that Violation 4219 did occur of RIGL 5-20-6 "Acts for which journeyperson's license required; seconded by Richard Mandarinini and passed unanimously by the Board.**

**Michael Raposa made a motion to uphold the fine of \$500.00 per RIGL 5-20-33; seconded by Michael Newman and passed unanimously by the Board.**

**The recommendation will be forwarded to the Director.**

**Thomas E. Bulman (Violation # 4220): E. Patrick Luther reads the**

**violation.**

**Date of the Violation: 3/9/2012 Violation # 4220**

**Name of Violator: Thomas Bulman, 13 Flintlock Lane, Lakeville, MA 02347-1800.**

**Location of Violation: Tockwotton Home, 500 Waterfront Dr., E. Providence, RI.**

**Violation: RIGL 5-20-9 Acts for which journeyperson's license required.**

**On March 7, 2012 Sagamore Plumbing did have Thomas E. Bulman, of 13 Flintlock Lane, Lakeville, MA, installing plumbing drainage, waste and vents at the above location. Mr. Bulman's Journeyman's license was expired at the time of the inspection. This is a violation of the above referenced RI General Law. A \$500.00 fine was assessed per RIGL 5-20-33.**

**E. Patrick Luther refers to testimony previously heard for Violation 4219 Sagamore Plumbing Co.**

**Richard Mandarini made a motion that Violation # 4220 did occur; seconded by Michael Newman and passed unanimously by the Board.**

**Michael Newman made a motion that the fine of \$500.00 for Violation 4220 RIGL 5-20-9 "Acts for which journeyperson's license required" be upheld; seconded by Anthony Cardarelli and passed unanimously**

**by the Board.**

**The recommendation will be forwarded to the Director.**

**End of hearings.**

**5.) Apprentice Approvals: Anthony Cardarelli made a motion to accept the apprentice approvals; seconded by Richard Mandarin and passed unanimously by the Board.**

**Sandra DiChiaro – Robert DiChiaro MP000775**

**Joel Albanese – Brian Lapierre MP002317**

**Patrick Dulude – Matt Morse MP002162**

**8.) Adjournment: Michael Newman made a motion to adjourn. There was no opposition. The meeting adjourned at 9:51am.**

**The next meeting scheduled for Tuesday, May 15, 2012 at 9:00am.**